HONOURABLE SRI JUSTICE J.CHELAMESWAR
AND
HONOURABLE SRI JUSTICE D.APPA RAO

-12-2006

WRIT PETITION No.19919 of 2006

Between:

1. Jilella Ankulu and another .. Petitioners.

and

1. The Govt. of A.P., Rep. by its Secretary, Home Department, Secretariat, Hydeabad and 3 others.

..

Respondents.

ORDER (Per Hon'ble Sri Justice D.Appa Rao):

The petitioners seek production of their daughter-Ayiala Bhagya by way of a writ of Habeas Corpus.

2. It is the case of the petitioners that they performed the marriage of their daughter Bhagya with the 4th respondent-Ayiala Sathish in the year 2003. Later, she joined her husband. However, R-4 was harassing their daughter for more dowry. While so, on 26-07-2006, the 4th respondent telephoned them and enquired as to the whereabouts of his wife. Thereupon they suspected and gave a report to the police. However, the police could not trace her.

3. The 3rd respondent-Station House Officer, filed counter-affidavit, *inter alia,* stating that on the report of the petitioners, he registered a case in Crime No.26 of 2006 as 'Woman Missing'. Investigation revealed that the 4th respondent had murdered his wife, the alleged *detenu* on 22-07-2006 and threw the dead body in bushes and shrubs. The Circle Inspector of Police arrested the 4th respondent on 27-10-2006 at 3.30 P.M. and produced him before the learned Judicial First Class Magistrate, Mancherial on 28-10-2006, who in-turn remanded him to judicial custody.

4. Since the investigation disclosed that the alleged *detenu* Aiyala Bhagya was no more, and the petitioners not having denied the said fact, nothing survives in the writ petition.

4. Accordingly, the Writ Petition is dismissed. No costs.

(J.CHEMALESWAR, J)

December , 2006 **(D.APPARAO, J)**

KVR